IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Group Art Unit: 2454
Tu et al.	Examiner: Coulter, Kenneth R
Serial No.: 09/618,954	
Filed: July 19, 2000	**REPLY BRIEF IN RESPONSE TO EXAMINER'S ANSWER**
For: **METHOD AND APPARATUS FOR A SECURE REMOTE ACCESS SYSTEM**	162 N. Wolfe Rd. Sunnyvale, CA 94086 (408) 530-9700 Customer No. 28960

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Examiner's Answer mailed on April 2, 2009, this Reply Brief is hereby submitted to the Board of Patent Appeals and Interferences in compliance with the requirements of 37 C.F.R. § 41.41. Claims 1-6 and 23-26 (including the independent Claims 1, 23 and 25) have been rejected.

Appellants contend that the rejection of Claims 1-6 and 23-26 under 35 U.S.C. §102 is in error and should be overcome by the appeal in the application referenced above. In view of the foregoing, Appellants respectfully submit this Reply Brief, wherein:

STATUS OF THE CLAIMS

Claims 1-6 and 23-26 are pending in this application and are involved in this appeal.

Claims 7-22 have been withdrawn.

Claims 1-6 and 23-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,167,120 to Kikinis ("Kikinis").

Within this Appeal Brief, claims 1-6 and 23-26 are appealed.

GROUNDS OF REJECTION AND MATTERS TO BE REVIEWED ON APPEAL

The following issues were presented in the Appeal Brief for review by the Board of Patent Appeals and Interferences:

1. Whether claims 1-6 and 23-26 are properly rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,167,120 to Kikinis ("Kikinis").

ARGUMENT

I. SUMMARY OF THE CLAIMED INVENTION

The invention disclosed in the present application number 09/618,954 is directed to a system and method "for providing access to a base device identified with a user of a remote client device." (Independent claims 1 and 23). In particular, as explained in the Background of the Invention Section, specialized remote access software systems were known at the time of the invention to establish a direct connection between a remote computer and a base computer. There were two such remote access systems known at the time of the invention. One was referred as a remote access server ("RAS") system and the other was referred to as a remote control system ("RCS").

There were several disadvantages associated with RAS and RCS systems (as set forth in the application at page 3, line 21 et. seq.). The present invention overcomes these problems by providing a system and method including a user server for communicating data between a user's base device and remote client device. (Claims 1-6 and 23-26). In particular, as recited in claims 1-6 and 23-26 and as shown in Fig. 4 and described with respect to the flowcharts of Figs. 6-8, a user of a remote device 54 will make a request (for example to read or write information) that is communicated to a user server module 18. Periodically, the base device 42 will initiate contact with the user server module 18 to see if a request has come in. This feature is explained in the present application for example at page 23, lines 14-23:

> Preferably, communications between the base device 42 and the Sili server 30 are initiated by the base device 42. For example, a base device 42 which maintains a full time Internet connection is generally configured to periodically communicate "job request" commands at a predetermined interval (e.g., forty (40) seconds) to the Sili server 30. In response, the Sili server 30 may indicate "no job" or "job request by a user server module". "No job" is communicated where the user associated with the base device 42 is not requesting data at this time. "Job request by a user sever module" is communicated when the user associated by the base device 42 is requesting data (which is indicated to the Sili server 30 by the agent communication module 60 as noted above).

The advantages of such a system are explained in the present application at page 26, line 19 through page 27, line 8:

> As described above, communication sequences between the system 10 (Sili server 30 and user server module 18) and the base device 42 are generally initiated by the base device 42, rather than the system 10. . . This arrangement provides several

advantages which overcomes problems associated with the prior art. First, security is increased since the data communications are initiated by the base device rather than by the system 10. By requiring the base device to initiate communication (and therefore establish a connection socket), hacking into the base device from the outside becomes a more difficult task. Additionally, the invention may be practiced even if the base device is behind firewall because the base device initiates communication and opens the connection to the agent communication module, thereby allowing reply communications and task commands to be communicated from the agent communication module.

II. THE CLAIMS 1-6 AND 23-26 ARE NOT ANTICIPATED BY KIKINIS UNDER 35 U.S.C. §102(e).

Specifically, Claims 1-6 and 23-26 each expressly recite features that are not disclosed, taught or suggested in Kikinis. As described previously, much more is being read into Kikinis than is disclosed, taught or suggested.

More specifically, Kikinis does not disclose, teach or suggest a system that is responsive to a base device as recited in claims 1-6 and 23-26. Within the Examiner's Answer, the "support technician" is cited as the base device which is able to initiate requests. Several sections of Kikinis are cited within the Examiner's Reply including the Abstract, Figure 1, col. 4, lines 30-55 and col. 2, lines 27-47. As was previously clearly illustrated in the Appeal Brief, the cited sections of Kikinis do not disclose, teach or suggest that the user server is further configured to communicate data with said base device via requests initiated by said base device. As described previously, the Abstract and col. 2, lines 27-47 of Kikinis do not teach anything regarding the "support technician." Within the other cited sections of the Examiner's Reply, Kikinis shows a computer icon labeled "Support Technician 122" in Figure 1 and includes the text, "Multi-Bridge Adapter Unit 120 connects to an Ethernet™ backbone 121 (in this particular embodiment) to which various equipment may be interfaced, such as a server 123 shown and a support technician workstation 122." [Kikinis, col. 4, lines 51-55] Thus, the icon and the sentence which states that the Ethernet backbone may interface with the "technician workstation 122" is the entire discussion of the "support technician" in Kikinis. From that minimal discussion, the Examiner is extrapolating that Kikinis teaches the claimed invention. This is clearly improper as much more is being read into the Kikinis than is actually taught.

Additionally, Kikinis does not disclose, teach or suggest a base device specifically "identified with a user." Within the Examiner's Reply, it is stated that, "[t]he base device (support technician (Fig. 1, item 122) in Kikinis '120) would invariably be identified with a user

of a remote client device (user of PCs, Laser Printer, Telephone, or Fax (Fig. 1, items 130, 131, 132, 140, 141) in Kikinis '120) in order to initialize, configure, debug and support the client devices..." [Examiner's Reply, Page 7] As described above and in the Appeal Brief, Kikinis does not disclose, teach or suggest this limitation. Based on the minimal description in Kikinis, the Examiner is reading much more into Kikinis than is actually taught. Therefore, the rejection of Claims 1-6 and 23-26 should be withdrawn.

III. CONCLUSION

The claims pending within this appeal include limitations not taught by Kikinis. Specifically, Claims 1-6 and 23-26 include a limitation directed to requests initiated by a base device. Claims 1-6 and 23-26 also include a limitation directed to a base device identified with a user of a remote client device. As described above, Kikinis does not teach these limitations. In view of the foregoing, it is respectfully submitted that Claims 1-6 and 23-26 (including the independent Claims 1, 23, and 25) are allowable over the teachings of the cited references. Therefore, review of this appeal and a favorable indication is respectfully requested.

Respectfully submitted,
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Dated: May 21, 2009

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